

REMARKS/ARGUMENTS

The Applicant originally submitted Claims 1-21 in the application. In the present response, the Applicant has amended Claims 1, 8, and 15. Support for the amendment can be found, for example, in paragraphs 21-25 of the original specification. No other claims have been canceled or added in the present response. Accordingly, Claims 1-21 are currently pending in the application.

I. Formal Matters

From Patent Application Publication No. US 2005/0071829 A1, the Applicant noticed that pages 3 and 4 of the originally submitted specification were apparently entered out of order. As such, please amend the specification as noted above to place it in its originally submitted form.

II. Rejection of Claims 1-21 under 35 U.S.C. §102

The Examiner has rejected Claims 1-21 under 35 U.S.C. §102(a) as being anticipated by U.S. Patent No. 6,476,741 to Cherubal, *et al.* and under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Application Publication No. 2002/0030615 by Cherubal, *et al.* The Applicant respectfully disagrees.

Cherubal is directed to testing of analog-to-digital converter ("ADC") circuits as they are produced to determine their functional specifications. (*See* column 1, lines 13-15.) Cherubal does not teach determining transition locations for code sequences based on a design of said pipeline ADC as recited in amended independent Claims 1, 8, and 15. On the contrary, Cherubal teaches a linear model for an ADC is constructed from measured data and average input-referred noise of a training

set of ADCs. Based on the measured code transitions and the measured noise, the parameters required for making optimal estimates of the code transitions are computed. Device binning is then performed based on the optimal estimates for code transitions. (*See* column 6, line 63 through column 7, line 32.) Thus, Cherubal determines code transitions based on empirical data. As such, Cherubal does not teach determining transition codes based on the design of a pipeline ADC as presently claimed.

Cherubal does not disclose each and every element of independent Claims 1, 8, and 15 and, therefore, does not anticipate independent Claims 1, 8, and 15 and Claims dependent thereon. Accordingly, the Applicant respectfully requests the Examiner to withdraw the §102(a) and §102(b) rejection of Claims 1-21 and allow issuance thereof.

III. Comment on References

The Applicant reserves further review of the references cited but not relied upon if relied upon in the future.

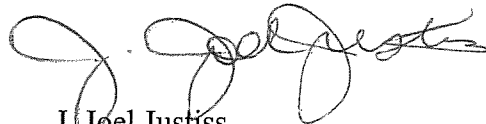
IV. Conclusion

In view of the foregoing amendment and remarks, the Applicant now sees all of the Claims currently pending in this application to be in condition for allowance and therefore earnestly solicits a Notice of Allowance for Claims 1-21.

The Applicant requests the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present application. The Commissioner is hereby authorized to charge any fees, credits or overpayments to Deposit Account 20-0668.

Respectfully submitted,

HITT GAINES, PC

A handwritten signature in black ink, appearing to read "J. Joel Justiss", with a stylized flourish at the end.

J. Joel Justiss
Registration No. 48,981

Dated: March 19, 2007

P.O. Box 832570
Richardson, Texas 75083
(972) 480-8800